

**1 NOVEMBER 1999**



**Command Policy**

**INSPECTOR GENERAL--THE COMPLAINTS  
PROGRAM**

---

**NOTICE:** This publication is available digitally on the AFDPO WWW site at: <http://afpubs.hq.af.mil>. If you lack access, contact your Publishing Distribution Office (PDO).

---

OPR: SAF/IGQ (Maj Margarita L. Valentin)  
Supersedes AFD 90-3, 6 December 1993

Certified by: SAF/IG (Lt Gen Nicholas B. Kehoe)  
Pages: 6  
Distribution: F

---

**SUMMARY OF REVISIONS**

**This document is substantially revised and must be completely reviewed.**

**1.** This directive establishes policies related to Air Force Inspector General (IG) complaints and Fraud Waste and Abuse (FWA) programs. It implements Title 10, United States Code, Section 8020 (10 U.S.C. 8020), *Inspector General*; Title 10, United States Code, Section 1034 (10 U.S.C. 1034), *Military Whistleblower Protection Act*; DoD Directive 5505.6 (DoDD 5505.6), *Investigations of Allegations Against Senior Officials of the Department of Defense*; DoD Directive 7050.6 (DoDD 7050.6), *Military Whistleblower Protection*; DoD Directive 6490.1 (DoDD 6490.1), *Mental Health Evaluations of Members of the Armed Forces*, and Secretary of the Air Force Order 125.2, *Authority and Responsibilities of the Inspector General*. It applies to all military personnel subject to the Uniform Code of Military Justice (UCMJ) including Air Force Reserve, to the Air National Guard (ANG), and to all Air Force civil service personnel subject to civilian administrative or disciplinary action under applicable directives or implementing instructions. This directive requires collecting and maintaining information protected by the Privacy Act of 1974 authorized by 10 U.S.C. 8013 and 8020. Privacy Act system of records notice F090 AF IG B, *Inspector General Records*, applies.

**2. Responsibilities.**

**2.1. The Secretary of the Air Force, Inspector General (SAF/IG) will:**

2.1.1. Inquire into and report on the discipline, efficiency, and economy of the Air Force, and perform any other duties as directed by the Secretary or the Chief of Staff.

2.1.2. Establish policies and procedures that ensure the implementation of credible and responsive Air Force complaints and FWA programs, and compliance with the provisions of the above laws and directives.

2.1.3. When necessary, direct investigations and provide direct oversight of all IG investigations conducted at HQ USAF level.

2.1.4. Provide oversight for all IG investigations. This includes the authority to comment on and to overturn the findings and conclusions of any IG investigation.

2.1.5. Assess and decide the disposition of all allegations of misconduct made against Air Force Senior Officials.

2.1.6. Review all cases involving substantiated allegations or adverse information against colonel-selects, colonels, and general officers, and draft an Adverse Information Summary for possible inclusion in a Senior Officer Unfavorable Information File (SOUIF).

2.1.7. Act as the central repository for all adverse information on colonel-selects, colonels, and general officers for the purpose of possible disclosure during the general officer selection, nomination, and confirmation processes.

2.1.8. Act as central repository for all adverse information on Air Force senior executives and GM/GS-15s for the purpose of possible disclosure when an individual is considered for appointment to the senior executive service or considered for a major award.

**2.2. MAJCOM, DRU, and FOA commanders and the Director, Air National Guard will:**

2.2.1. Appoint an IG for their organization who is directly responsible to the commander for carrying out assigned responsibilities.

2.2.2. Establish procedures to manage Air Force complaints and FWA programs at their level and below. Requirements in AFI 90-301 will be followed.

2.3. See AFI 90-301 for additional specific responsibilities.

**3.** Independent Installation IGs will be established at all active duty and Air Force Reserve installations and ANG wings. The Installation IG will report directly to the installation commander.

**4.** Air Force military and civilian members have a duty to promptly report FWA or gross mismanagement; violations of law, policy, procedures, or regulations; an injustice; abuse of authority; misconduct; inappropriate conduct; deficiencies or like conditions, to an appropriate supervisor or commander, to an IG or other appropriate inspector, or through an established grievance channel upon becoming aware of the matter.

4.1. Complainants should attempt to resolve complaints and FWA issues at the lowest possible level using command channels before addressing them to a higher level or the IG.

4.2. The IG is the grievance channel to present complaints of wrongdoings when no other means of redress or appeal exists. No one may deny Air Force personnel access to an IG.

4.3. IGs must make every effort to protect the identity of complainants from anyone outside IG channels.

**5.** Air Force military members (including guard and reserve) may make (or prepare to make) complaints or other lawful communications (protected disclosure) through any established grievance channel or participate in official investigations.

- 5.1. Taking adverse personnel actions in *reprisal* for these disclosures or other disclosures protected by 10 U.S.C 1034 or DoDD 7050.6 **is prohibited**.
- 5.2. Complaints of reprisal submitted by military members assigned to Air Force units **will** be handled through Air Force IG channels and in accordance with the provisions set forth in 10 U.S.C. 1034, DoDD 7050.6, and AFI 90-301, *Inspector General Complaints*.
6. Air Force military members (including guard and reserve) **will not** be referred for an involuntary mental health evaluation (MHE) or committed for treatment or hospitalization in reprisal or without being afforded their rights as outlined in DoDI 6490.4, and AFI 44-109, *Mental Health and Military Law*. Complaints of violation of these prohibitions concerning military members assigned to Air Force units **will** be handled through Air Force IG channels and in accordance with DoDD 7050.6, DoDD 6490.1, DoDI 6490.4, and AFI 90-301.
7. All allegations or adverse information of any kind concerning Air Force senior officials (brigadier general-select or civilian equivalent, or above) will be forwarded immediately to the Senior Official Inquiries Directorate (SAF/IGS) for analysis and resolution.
8. The Air Force Inquiries Directorate (SAF/IGQ) will be notified immediately of any allegations or adverse information of any kind against Air Force colonel-selects, colonels, or civilian equivalents. Final disposition and closure documents will be forwarded to SAF/IGQ for review.
9. IG records are privileged in nature and will be safeguarded from unauthorized disclosure. Request for access to IG records will be processed according to AFI 90-301 and AFI 37-131, *Freedom of Information Act Program*.
10. This directive applies only to non-criminal investigations.
11. This policy directive is the antecedent for implementation instructions contained in AFI 90-301, *Inspector General Complaints*. For glossary of applicable abbreviations, acronyms, and terms, refer to AFI 90-301.

F. Whitten Peters  
Secretary of the Air Force

**Attachment 1****GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

Title 10, United States Code, Section 1034, *Military Whistleblower Protection Act*

Title 10, United States Code, Section 8014, *Office of the Secretary of the Air Force*

Title 10, United States Code, Section 8020, *Inspector General*

DODD 5505.6, *Investigations of Allegations Against Senior Officials of the Department of Defense*

DoDD 6490.1, *Mental Health Evaluations of Members of the Armed Forces*

DoDD 7050.6, *Military Whistleblower Protection*

DoDI 1320.4, *Military Officer Actions Requiring Approval of the Secretary of Defense or the President, or Confirmation by the Senate*

DODI 6490.4, *Requirements for Mental Health Evaluations of Members of the Armed Forces*

AFI 36-2501, *Officer Promotions and Selective Continuation*

AFI 370131, *Freedom of Information Act Program*

AFI 90-301, *Inspector General Complaints*

***Abbreviations and Acronyms***

**ANG**—Air National Guard

**DoD**—Department of Defense

**DoDD**—Department of Defense Directive

**DoDI**—Department of Defense Instruction

**DRU**—Direct Reporting Unit

**FOA**—Field Operating Agency

**FWA**—Fraud, waste, and abuse

**MAJCOM**—Major Command

**UCMJ**—Uniform Code of Military Justice

**U.S.C.**—United States Code

***Terms***

**Abuse**—Intentionally wrongfully or improper use of Air Force resources. Examples include misuse of rank, position, or authority that causes the loss or misuse of resources such as tools, vehicles, computers, or copy machines.

**Abuse of Authority**—Abuse of authority is further defined as it relates to personnel. It is an *arbitrary or capricious* exercise of power by a military member or a federal official or employee that *adversely affects*

the rights of any person or that result in personal gain or advantage to themselves.

**Adverse Information**—Information that constitutes:

1. A violation of criminal law; the UCMJ; DoD 5500.7-R, *Joint Ethics Regulation (JER)*; the Anti-Deficiency Act; or military or civilian policies.
2. An abuse of authority, especially when an element of personal benefit accrues to the official, a family member, or an associate.
3. Fraud, waste, and abuse or mismanagement, governed by this instruction or involving nonappropriated funds or morale, welfare, and recreation assets, including personnel and facilities, as governed by AFI 34-124, *Air Force Morale Welfare and Recreation Advisory Board (AFMWRAB)*, and AFI 34-2-2, *Protecting Nonappropriated Funds Assets*.
4. Reprisal as defined in this directive.
5. Misconduct by a medical provider requiring actions to suspend, limit, or revoke clinical privileges, as governed by AFI 44-119, *Medical Service Clinical Quality Management*.
6. Prohibited discrimination or sexual harassment as described by AFI 36-2706, *Military Equal Opportunity and treatment Program*, and AFI 36-1201, *Discrimination Complaints*.
7. A matter not included above which may reflect adversely on the individual's judgment or exercise of authority.

**Complaint**—An allegation or set of allegations that assert a wrong or violation of law, regulation, instruction, policy, procedures or rules, or report conditions detrimental to the operation, mission, or reputation of the Air Force.

**Fraud**—Any intentional deception designed to unlawfully deprive the Air Force of something of value or to secure from the Air Force for an individual a benefit, privilege, allowance, or consideration to which he or she is not entitled.

**Inappropriate Conduct**—Action a reasonable person would consider likely to erode confidence in the integrity of the Air Force, but which does not violate an identifiable directive, instruction, policy, regulation, rule, statute, or other standard applicable to the Air Force.

**Investigation**—A duly authorized, systematic, detailed examination to uncover the facts and determine the truth of a matter. IG investigations are administrative in nature--they are **fact finding** rather than judicial proceedings. They are not criminal proceedings in which proof beyond a reasonable doubt is required. Rather, the standard of proof that applies is proof by a *preponderance of the evidence*.

**Mental Health Evaluation (MHE)**—A clinical assessment of a service member for a mental, physical, or personality disorder to determine the member's mental health status and fitness for duty. It does not include interviews under Family Advocacy programs or Air Force Drug and Alcohol Abuse Rehabilitation programs.

**Reprisal**—Reprisal is taking or threatening to take an unfavorable personnel action or withholding or threatening to withhold a favorable personnel action on a military member for making or preparing a protected disclosure.

**Senior Official**—A Senior Official is defined as any Air Force active duty, retired, Reserve, or ANG military officers in grades O-7 (brigadier general) select and above; current and former civilians above the grade of general schedule (GS) or general manager (GM)-15; current or former members of the Senior Executive Service (SES); and current and former Air Force civilian Presidential appointees.

**Waste**—The extravagant, careless, or needless expenditure of Air Force funds or the consumption of Air Force property that results from deficient practices, systems controls, or decisions. The term also includes improper practices not involving prosecutable fraud.